

FISCAL NOTE

HB 1112 - SB 1543

March 17, 2003

SUMMARY OF BILL:

- 1.Requires the Department of Environment and Conservation to allow the use of single-home on-site aerobic sewage treatment plant without a conventional field line system, in any area that is deemed geologically undesirable for a single-home residential septic tank and conventional drain field system, provided that the treatment plant meets or exceeds the requirements of ANSI/NSF Standard 40, and the homeowner possesses a valid biennial permit issued by the department.
- 2.Requires:
 - a fee-based permitting program for homeowners using an on-site aerobic sewage treatment system.
 - registration program for licensed contractors.
 - registration program for technicians.
- 3.Requires that a permit application must:
 - be submitted to the Department at least 45 days before initial use of the system or prior to the current permit's expiration.
 - be accompanied by a NON-REFUNDABLE PERMIT FEE in an amount to be determined by the department.
 - include documentation from a licensed contractor, trained and certified by the manufacturer and registered with the department, indicating that the treatment plant has been installed in compliance with the manufacturer's specifications and departmental rules.
 - include a copy of a signed service contract with a technician, trained and certified by the manufacturer and registered with the department.
- 4.Requires that the department may suspend or revoke:
 - a permit if the homeowner's system is being operated contrary to manufacturer's specifications, departmental rules, or in any other manner jeopardizing the public health or water quality.
 - the registration of any contractor or technician, whose negligent actions, omissions or practices, with respect to on-site aerobic sewage treatment plants, jeopardize the public health or water quality.
- 5.Establishes a Class A misdemeanor for anyone who submits false information to the Department of Environment and Conservation and the Water Quality Control Board for obtaining a permit for an on-site aerobic sewage treatment plant.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$1,313,000 Recurring
\$66,000 One-Time**

Increase State Revenues - Exceeds \$1,000,000

Increase Local Govt. Revenues - Not Significant

Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- the Department of Environment and Conservation would need 20 positions and related expenses to implement the permitting requirements of the bill and to monitor existing permits. According to the department, if the final disposal is done without a field line, application for a permit must be made to the Water Quality Control Board in addition to the permit required for the unit itself.
- most requests for permits will be for such above ground units.
- an increase in state revenues from applicants paying application and system fees.
- local government expenditures and revenues would depend on the number of persons convicted of this offense and the resulting cost to confine such persons versus the increased revenues fines levied and collected under the provisions of this bill.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director